

AMENDMENTS TO THE CLAIMS

Please amend the claims to be as follows:

Claims 1-7 (canceled)

Claim 8 (currently amended): A micro electromechanical system (MEMS) device capable of light modulation, the device comprising:

- a membrane configured to be controllably deflected;
- a support structure configured to support the membrane;
- an optically-active portion of the membrane that is reflective and configured to be illuminated;
- a non-optically-active portion of the membrane between the optically-active portion and the support structure; [[and]]
- a plurality of gaps in the optically-active portion of the membrane; and
- a substrate below the membrane having reflective areas under the plurality of gaps,
- wherein the gaps in the optically-active membrane portion are configured so that
- substantially equal optical energies are reflected from the membrane and from the
- substrate below the membrane.

Claim 9 (canceled)

Claim 10 (currently amended):       The device of ~~claim 9~~ claim 8, wherein the non-optically-active membrane portion is substantially larger in area than the optically-active membrane portion.

Claim 11 (original):   The device of claim 10, wherein the optically-active membrane portion bends less than the non-optically-active membrane portion when the membrane is controllably deflected.

Claim 12 (original): The device of claim 11, wherein the optically-active membrane portion remains substantially flat when the membrane is controllably deflected.

Claim 13 (canceled)

Claim 14 (currently amended): The device of ~~claim 13~~ claim 8, wherein both the optically-active membrane portion and the reflective areas under the gaps are covered with a same reflective material.

Claim 15 (original): The device of claim 14, wherein the reflective material comprises aluminum.

Claim 16 (original): The device of claim 8, wherein the membrane comprises a compliant material from a group of compliant materials including polymeric materials, metals, polycrystalline materials, and amorphous materials.

Claim 17-20 (canceled)